

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

EMS TECHNOLOGIES, LLC, Plaintiff, v. GENERAL ELECTRIC CO., Defendants.	§ § § § § § § § § §	 CIVIL ACTION NO. 2:10-cv-32-DF JURY TRIAL DEMANDED
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AMENDED JOINT CLAIM CONSTRUCTION AND PREHEARING STATEMENT

Plaintiff EMS Technologies, Inc. (“EMS”) and Defendant General Electric Corp. (“GE”) hereby submit their Amended Joint Claim Construction of the Terms, Phrases, and Clauses in the U.S. Patent No. 6,169,979, entitled “Computer-Assisted Sales System for Utilities,” pursuant to Local Patent Rule 4-3.

Local Patent Rule 4-3(a) and (b):

The Amended Joint Claim Construction of the Terms, Phrases, and Clauses in the U.S. Patent No. 6,169,979 is submitted by the parties, pursuant to P.R. 4-3 (a) and (b). *See* Exhibit A. The parties reserve the right to further supplement and/or amend the foregoing disclosures in accordance with the Local Patent Rules.

Local Patent Rule 4-3(c):

The parties estimate the length of time required for the November 3, 2011 Claim Construction Hearing, to be one-half (1/2) day.

Local Patent Rule 4-3(d): Neither EMS nor GE anticipates relying on live testimony at the hearing.

Local Patent Rule 4-3(e): GE believes that a technical tutorial the day before the Claim Construction Hearing would be useful, as contemplated by the Docket Control Order (Dkt. #103 at step (22)). Apart from a technical tutorial, GE does not identify any other issues to address at a prehearing conference before the Hearing.

EMS does not identify any other issues to address at a prehearing conference prior to the Claim Construction Hearing.

Respectfully submitted,

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